

Message Text

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43

ORIGIN IO-10

INFO OCT-01 NEA-10 ISO-00 CIAE-00 DODE-00 PM-03 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 SAM-01 SAB-01 AF-06 ARA-06 EA-06 EUR-12 /098 R

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APPROVED BY IO:WBBUFFUM

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P R 191657Z JUL 75

FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK PRIORITY

INFO AMEMBASSY CAIRO

AMEMBASSY DAMASCUS

AMEMBASSY TEL AVIV

USMISSION GENEVA

C O N F I D E N T I A L STATE 170832

E.O. 11652: GDS

TAGS: UN

SUBJECT: SUSPENSION OF A UN MEMBER BY GENERAL ASSEMBLY.

1. WE NOTE WITH CONCERN INFERENCE WHICH CAN BE
DRAWN FROM WALDHEIM'S STATEMENT TO THE PRESS ON JULY 16
THAT THE GENERAL ASSEMBLY CAN LEGALLY SUSPEND A MEMBER
STATE IN THE ABSENCE OF A RECOMMENDATION BY THE SECURITY
COUNCIL FOR SUSPENSION OR EXPULSION. THIS, OF COURSE,
WOULD BE COMPLETELY CONTRARY TO ARTICLES 5 AND 6 OF THE
CHARTER WHICH CONDITION GENERAL ASSEMBLY ACTION UPON
THE COUNCIL'S RECOMMENDATION. ACCORDINGLY, WE CONSIDER
SUCH STATEMENTS DANGEROUS AS THEY CAN LEAD TO MISINTER-
PRETATION. ALTHOUGH THE GA AND OTHER UN ORGANS ARE
MASTERS OF THEIR OWN PROCEDURES, THIS IS NOT REPEAT NOT
EQUIVALENT TO A LICENSE TO REWRITE THE CHARTER. WALDHEIM
AT ONE POINT STATED THAT GA IS BOUND BY THE CHARTER, BUT
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THE IMPRESSION HE LEFT WAS FAR FROM SATISFACTORY.

2. EVEN THOUGH SYG OPPOSES ISRAELI EXPULSION (URTEL 3376), REQUEST THAT ON EARLY OCCASION YOU RAISE THIS ISSUE WITH HIM, CONVEYING STRONG U.S. VIEWS ON THIS SUBJECT AS INDICATED IN SECRETARY'S MILWAUKEE SPEECH, AND URGING THAT HE SAY OR DO NOTHING WHICH WOULD LEND CREDENCE TO THESIS ESPOUSED BY ALGERIA AND RADICAL MEMBERS THAT ASSEMBLY CAN PENALIZE A MEMBER OF WHOSE POLICY IT DIS-

APPROVES BY DEPRIVING THEM OF THEIR CHARTER PRIVILEGES. WE WILL SEND SEPTTEL OUR LEGAL OPINION ON THIS MATTER WHICH WE SUGGEST YOU LEAVE WITH HIM AS REINFORCEMENT OF OUR VIEWS. WE FURTHER SUGGEST THAT YOU REQUEST SYG TO USE ANY APPROPRIATE OPPORTUNITY TO CORRECT PUBLIC IMPRESSION AS REFLECTED IN NY TIMES JULY 17 THAT RECOMMENDATION BY SC IS NOT REQUIRED. KISSINGER

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